

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Frank Montgoris	Team: Squad #7	CCRB Case #: 201710512	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 12/15/2017 5:30 PM	Location of Incident: § 87(2)(b)	Precinct: 114	18 Mo. SOL 6/15/2019	EO SOL 6/15/2019	
Date/Time CV Reported Wed, 12/20/2017 11:45 AM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Wed, 12/20/2017 11:45 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM John Peppard	19035	952103	114 PCT
2. POM Kevin Brennan	21355	959510	114 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM John Peppard	Abuse: Police Officer John Peppard refused to provide his shield number to § 87(2)(b)	§ 87(2)(b)
B.POM Kevin Brennan	Abuse: Police Officer Kevin Brennan refused to provide his shield number to § 87(2)(b)	§ 87(2)(b)

Case Summary

§ 87(2)(b) filed this complaint with the CCRB in person on December 20, 2017. On December 15, 2017, at approximately 5:30 p.m., PO John Peppard and PO Kevin Brennan, from the 114th Precinct, arrived at § 87(2)(b)'s apartment, located at § 87(2)(b), in Manhattan, in regards to a dispute. PO Peppard and PO Brennan allegedly refused to provide their names and shield numbers to § 87(2)(b) (**Allegations A and B: Abuse of Authority**, § 87(2)(g)). No arrests or summonses resulted from this incident.

Findings and Recommendations

Allegation A – Abuse of Authority: Police Officer John Peppard refused to provide his shield number to § 87(2)(b)

Allegation B – Abuse of Authority: Police Officer Kevin Brennan refused to provide his shield number to § 87(2)(b)

It is undisputed that PO Peppard, who is assigned shield number “19035,” and PO Brennan, who is assigned shield number “21355,” informed § 87(2)(b) who utilizes a motorized wheelchair and has limited use of his hands, that they were not taking a police report for his complaint. It is also undisputed that § 87(2)(b) subsequently asked both officers for their shield numbers, and that both officers wrote their information down for § 87(2)(b). Lastly, it is undisputed that, after the incident, § 87(2)(b) called the 114th Precinct Telephone Switchboard Operator, who provided the officers’ shield numbers to him.

§ 87(2)(b) denied that either officer verbally provided their shield numbers. He alleged that the officers immediately left the location after writing down their information, and, after they had left, § 87(2)(b) observed that the shield numbers written down were not legible (Board Review 01).

Both PO Peppard and PO Brennan testified that they each verbally provided their names and shield numbers to § 87(2)(b) and each wrote down their respective information after § 87(2)(b) further requested for them to do so. PO Peppard and PO Brennan both testified that § 87(2)(b) never expressed to them that he could not read what they had written. Upon seeing the photo evidence of the white sticker where their names and shield numbers were provided, both officers identified the sticker to be the area where they each had written their own names and shield numbers, and both consistently identified PO Peppard’s name and shield number to be on the bottom-most part of the sticker, with PO Brennan’s name and shield number immediately above his. Both PO Peppard and PO Brennan acknowledged that PO Brennan received a phone call from the Telephone Switchboard Operator after the incident, who had informed them that § 87(2)(b) had called requesting the officers’ names and shield numbers (Board Reviews 02 and 03).

§ 87(2)(b) provided the white sticker where the officers wrote their shield numbers down to the CCRB. The two five-digit numbers and names at the bottom of the sticker are unclearly written, and cannot be clearly deciphered (Board Review 04).

Police officers must clearly state, or otherwise provide, their shield number to anyone who requests them to do so. An officer must also allow the person ample time to note this information. NYPD Patrol Guide, Section 203-09 (Board Review 05).

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g) [REDACTED]

§ 87(2)(g) [REDACTED].

Mediation, Civil, and Criminal Histories

- This case was unsuitable for mediation.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)] [REDACTED]
- As of January 16, 2018, § 87(2)(b) [REDACTED] has not filed a Notice of Claim against the City of New York for this incident (Board Review 07).

Civilian and Subject Officer CCRB Histories

- § 87(2)(b) [REDACTED] has six prior complaints, two of which were investigated by the CCRB.
§ 87(2)(b) [REDACTED]
- PO Peppard has been a member of the NYPD for five years. PO Peppard does not have any prior allegations against him.
- PO Brennan has been a member of the NYPD for two years. § 87(2)(b) [REDACTED]

Squad No.: 7

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date

